



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

October 15, 2019

MEMBERS, OCONEE COUNTY COUNCIL
Mr. John Elliott, Chair Pro Tem, District I
Mr. Paul Cain, Vice Chair, District III
Mr. Julian Davis III, Chairman, District IV
Mr. Glenn Hart, District V
Mr. Wayne McCall, District II

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Amanda F. Brock, County Attorney David Root, Katie D. Smith, Clerk to Council present.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeesc.com/council]. In addition, it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Caitlin Herrington / Daily Journal & Jimmy Watt / 94.1 The Lake WSNW.

Call to Order:

Mr. Davis called the meeting to order at 6:00 p.m.

Public Comment Session

Mr. Adams addressed Council regarding a savings plan for Oconee County.

Ms. Jean Jennings addressed Council regarding The Red Cross and Our Daily Rest and other agencies that help the citizens of Oconee County. She further noted that when the agencies are formed, they are set up to operate on donations and no taxpayers or grant money should be used. Further, she noted she would like records from the last year of the previous Sheriff and the records of the current Sheriff.

Mr. Matt Durham addressed Council regarding the tax increase.

Mr. Jerry Barnett addressed Council regarding the joint meeting with County Council and Planning Commission and further noted Hwy 123 is a State road and will be taken care of by the State.

County Council Response to Public Comment

None at this meeting.

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Moment of Silence

Mr. Davis asked for a moment of silence prior to the Invocation by the County Chaplain.

Invocation by County Council Chaplain:

Mr. Root, County Council Chaplain, gave the invocation.

Pledge of Allegiance:

Mr. McCall led the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes

Mr. Hart made a motion, seconded by Mr. Elliott, approved 5 – 0 to approve the October 1, 2019 Council Special Workshop with Planning Commission Minutes as presented.

Mr. Hart made a motion, seconded by Mr. Elliott, approved 5 – 0 to approve the October 1, 2019 Regular Minutes as presented.

Administrator's Comments

Ms. Brock briefly updated Council regarding the following:

- Discussion / Action Items

Proclamation 2019-13

Mr. Elliott read **Proclamation 2019-13** into the record.

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Proclamation 2019-13** on first & final reading.

Council members presented the proclamation to Mrs. Turetzky.

Doug Hof, President of Friends of Lake Keowee Society [FOLKS], addressed Council noting they deeply appreciate the recognition from County Council on the work Mr. Turetzky has completed through the years.

Public Hearings for the Following Ordinances

Ordinance 2019-21 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED FEE AGREEMENT BETWEEN OCONEE COUNTY AND ACI PLASTICS SOUTH, LLC, INCLUDING THE INCLUSION OF ACI PROPERTIES SOUTH, LLC, AND GREENCYCLE U.S. HOLDING, INC. AS CO-SPONSORS, AND AMENDING THE FEE AGREEMENT DATED AS OF OCTOBER 1, 2014; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Davis opened the floor for any citizen wishing to

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address Council regarding this ordinance. No citizen addressed Council.

Mr. Davis asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Davis closed the Public Hearing regarding **Ordinance 2019-21**.

Ordinance 2019-22 “AN ORDINANCE AUTHORIZING OCONEE COUNTY, SOUTH CAROLINA TO FINANCE AND ACQUIRE CERTAIN FIRE TRUCKS AND RELATED EQUIPMENT IN AN AMOUNT NOT EXCEEDING \$2,300,000; TO EXECUTE AND DELIVER ALL DOCUMENTS NECESSARY TO CARRY OUT THE FINANCING AND ACQUISITION; AND OTHER RELATED MATTERS.”

Mr. Davis opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Davis opened the floor for any citizen wishing to address Council regarding this ordinance.

Mr. Barnett addressed Council in favor of **Ordinance 2019-22**.

Mr. Davis asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Davis closed the Public Hearing regarding **Ordinance 2019-22**.

Third Reading of the Following Ordinances

Ordinance 2019-21 *[see caption above]*

Mr. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve **Ordinance 2019-21** on third & final reading.

Ordinance 2019-22 *[see caption above]*

Mr. McCall made a motion, seconded by Mr. Cain, to approve **Ordinance 2019-22** on third & final reading.

Mr. Cain noted there have been discussion about a tax increase, which through a number of meetings and a number of months, that is where the County was heading and further noted this was a very wise use of public funds. He further noted that for many years, Council did not adequately fund Capital Equipment and this Council has invested in the assets that are necessary to protect the life and safety of this County.

Regarding the previous motion made by Mr. McCall, seconded by Mr. Cain, it was approved 5 – 0, to approve **Ordinance 2019-22** on third & final reading.

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Second Reading of the Following Ordinances

None at this meeting.

First Reading for the Following Ordinances

None at this meeting.

First & Final Reading of the Following Resolutions

Resolution 2019-20 “A RESOLUTION AUTHORIZING THE AMENDMENT OF AN AGREEMENT TO DEVELOP A JOINT-COUNTY INDUSTRIAL AND BUSINESS PARK BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PICKENS COUNTY, SOUTH CAROLINA, TO PROVIDE FOR THE EXPANSION OF THE BOUNDARIES OF THE MULTI-COUNTY INDUSTRIAL/BUSINESS PARK CREATED THEREBY TO INCLUDE CERTAIN ADDITIONAL PROPERTY LOCATED IN PICKENS COUNTY; AND OTHER MATTERS RELATED THERETO.”

Mr. Cain made a motion, seconded by Mr. Elliott, to approve **Resolution 2019-20** on first & final reading.

Mr. Root noted anytime the County wants to provide economic development incentives, it enters into a multicounty industrial park agreement with a sister county. Discussion continued.

Regarding the previous motion made by Mr. Cain, seconded by Mr. Elliott, it was approved 5 – 0, to approve **Resolution 2019-20** on first & final reading.

Discussion Regarding Action Items

Design Build Services for New Office / ADA Restrooms for Chau Ram & New Park Shelter / Storage for High Falls County Park / Oconee PRT-Chau Ram and High Falls County Parks / Amount: \$438,567.00 Chau Ram

\$419,873.00 High Falls

\$ 44,162.00 Contingency

\$902,602.00 Total Award

Local ATAX Fund:	\$200,000.00	Project Cost: \$200,000.00	Balance: \$0
Economic Develop. Millage Fund:	\$427,602.00	Project Cost: \$427,602.00	Balance: \$0
General Fund:	<u>\$275,000.00</u>	Project Cost: \$275,000.00	Balance: \$0
	\$902,602.00		

This Request for Proposal was issued to select a Licensed Contractor to provide Design Build / Construction services to Oconee County Parks, Recreation and Tourism (PRT). On August 29, 2019, formal sealed proposals were opened for Design Build Services for New Office/ ADA Restrooms for Chau Ram & New Park Shelter / Storage for High Falls County Parks. Fourteen firms were originally notified of this opportunity and one firm submitted a proposal. An evaluation committee consisting of Fred Barber, High Falls Superintendent, Lake Julian, Facilities Maintenance Director, Phil Shirley, PRT Director, Rec Cobb, Chau Ram Superintendent, Swain Still, Solid Waste Director (absent from meeting) reviewed all proposals,

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and voted unanimously to recommend the Award to J. Davis Construction.

It is the staff's recommendation that Council [1] approve the award of RFP 19-02 Design Build Services for Chau Ram and High Falls County Parks to J. Davis Construction, Inc. of Westminster, SC in the amount of \$858,440.00 plus contingency in the amount of \$44,162.00 for a total award of **\$902,602.00** and [2] authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount.

Mr. Cain made a motion, seconded by Mr. Elliott, approved 4 – 0 [Mr. Davis recused; copy of recusal form filed with these minutes] to [1] approve the award of RFP 19-02 Design Build Services for Chau Ram and High Falls County Parks to J. Davis Construction, Inc. of Westminster, SC in the amount of \$858,440.00 plus contingency in the amount of \$44,162.00 for a total award of **\$902,602.00** and [2] authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount.

Law Enforcement Center Repairs / Oconee County Sheriff's Office /	
Davis Electrical & Plumbing, Inc.	\$68,000.00
Eagle Interiors, Inc.	\$72,500.00
MCG Mechanical Services	\$91,587.00
10% Contingency	<u>\$23,208.70</u>
Total this request	<u>\$255,295.70</u>

In late 2017, portions of the Oconee County Law Enforcement Center (LEC) were damaged by fire. After lengthy negotiations to settle the County's claim for insurance proceeds, we are ready to move forward with the repairs.

At the August 20, 2019 Council meeting, Council approved direct negotiations and contracting with construction professionals. On September 12, 2019, County staff met with three (3) contractors: Davis Electrical, Eagle Interiors and MCG Mechanical to view the site and to provide cost estimates for electrical, framing, insulation, sheetrock and HVAC. We received quotes for Electrical \$68,000.00, Framing/Insulation/Sheetrock \$72,500.00 and HVAC \$91,587.00.

It is the staff's recommendation that Council [1] Approve the Award for electrical repairs to Davis Electrical and Plumbing, Inc. of Walhalla, SC in the amount of \$68,000.00; [2] Approve the Award for framing, insulation and sheetrock to Eagle Interiors, Inc. of Seneca, SC in the amount of \$72,500.00; [3] Approve the Award for HVAC to MCG Mechanical Services of Anderson, SC in the amount of \$91,587.00; and [4] Approve a 10% contingency (\$23,208.70) to be used if needed for the above construction projects **AND** authorize the County Administrator and sign any change orders within the contingency amount.

Mr. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0, to [1] Approve the Award for electrical repairs to Davis Electrical and Plumbing, Inc. of Walhalla, SC in the amount of \$68,000.00; [2] Approve the Award for framing, insulation and sheetrock to Eagle Interiors, Inc. of Seneca, SC in the amount of \$72,500.00; [3] Approve the Award for HVAC to MCG Mechanical Services of Anderson, SC in the

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amount of \$91,587.00; and [4] Approve a 10% contingency (\$23,208.70) to be used if needed for the above construction projects **AND** authorize the County Administrator and sign any change orders within the contingency amount.

Regarding the following three action items, Mr. Root noted these are charitable contributions on behalf of the County and were brought up during the budget process. He further noted the donation meets a public purpose, which is promoting the general population public health, welfare, prosperity, and contentment with citizens within the County. Discussion continued.

Request Council approval for funding allocation in the amount of \$20,000 for Our Daily Rest – Ms. Lauren Richardson, Executive Director, Our Daily Rest

Our Daily Rest celebrated its 10th year of operation in August of 2019. In the past ten years, they have offered a hand up and a second chance to over 2,000 homeless individuals. This would not have been possible without the support and partnership of Oconee County.

Our Daily Rest cannot fulfill its mission without the support of the County and the community. They are working to continue to serve the homeless population in Oconee County and to increase the effectiveness of our programs and decrease the number of repeat incidences of homelessness in the area.

Ms. Lauren Richardson, Executive Director of Our Daily Rest, addressed Council noting they have served over 2,000 individuals that were homeless and most are now housed. She further noted they have about a 70% success rate with getting clients back on their feet with jobs, supporting themselves, and housed. Discussion continued.

Mr. Cain made a motion, seconded by Mr. Elliott, approved 4 – 0 [Mr. Davis recused; recusal form filed with these minutes], to approve funding allocation in the amount of \$20,000 for Our Daily Rest.

Request Council approval for funding allocation in the amount of \$15,000 for American Red Cross Upstate SC Chapter – Ms. Amanda Brock, Oconee County Administrator

The Red Cross Disaster Services program uses a three-prong approach of preparedness, response, and recovery to serve Oconee County. Red Cross continues to work in Oconee County to alleviate the social and economic hardships caused by disasters and help people bounce back faster and more effectively by providing case management and linkage to longer-term recovery services so that families can avoid homelessness and minimize any negative impact the disaster even may have on Oconee County families.

Ms. Brock noted a representative from the Red Cross was unable to attend the meeting and read from a prepared statement from Red Cross. She noted Red Cross has provided services for disaster and military and now they are taking a separate approach, which is disaster preparedness. Discussion continued.

Mr. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve the funding allocation in the amount of \$15,000 for the American Red Cross Upstate SC Chapter.

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Request Council approval for funding allocation in the amount of \$25,000 for Christmas for Kids – Mr. Jerry Edwards

Mr. Jerry Edwards, owner of The Journal, addressed Council utilizing a PowerPoint presentation entitled “Christmas for Kids” [copy filed in backup materials].

Mr. McCall made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve funding allocation in the amount of \$25,000 for Christmas for Kids.

Council Committee Reports

Mr. Hart read from a prepared statement [copy filed with backup materials] outlining the discussions held at the October 1, 2019 Transportation Committee.

First & Final Reading for the Following Resolutions [cont’d]

Resolution 2019-19 “A RESOLUTION EXPRESSING INTENT TO CEASE COUNTY MAINTENANCE ON, AND TO AUTHORIZE COUNTY CONSENT TO AND PURSUIT OF JUDICIAL ABANDONMENT AND CLOSURE OF, A PORTION OF A LINHART ROAD, AN OCONEE COUNTY PUBLIC ROAD; AND OTHER MATTERS RELATED THERETO.”

Mr. Hart made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Resolution 2019-19** on first & final reading.

Board & Commission Appointments

Building Codes Appeal Board

No questionnaires were submitted for the 1 At Large seat.

Unfinished Business

Mr. Davis noted he received a phone call from Ms. Emily DeRoberts, District Manager of Duke Energy SC Government and Community Relations Team, giving an update regarding Fall Creek Landing.

Mr. Davis thanked Mr. McCall for continually bringing up boater safety, safety in this specific area, etc. Mr. Davis also thanked Duke Energy and Corp of Engineers for pushing this issue forward.

Mr. Cain echoed Mr. Davis’s comments, thanking Duke Energy and Corp of Engineers as well.

Mr. Hart thanked Mr. McCall as well for continually bringing this issue to the front and dedicating himself to looking out for what is going on the lake property.

New Business

None at this meeting.

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Executive Session:

Mr. Hart made a motion, seconded by Mr. Cain, approved 5 – 0, to enter into Executive Session for the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:

[1] Discussion regarding an Economic Development matter, Project Aztec.

[2] Discussion regarding an Economic Development matter, Project Zeta 2.

[3] Discussion regarding an Economic Development matter, Project Anvil.

[4] Discussion regarding personnel matters related to the Facilities Maintenance Department.

[5] Receive legal advice and discuss opioid litigation.

Council entered Executive Session at 6:56 p.m.

Council returned from Executive Session at 7:45 p.m. on a motion made by Mr. Hart, seconded by Mr. Cain, approved 5 – 0.

Mr. Davis stated that no action was taken in Executive Session.

Adjourn:

Mr. Hart made a motion, approved unanimously, to adjourn at 7:45 p.m.

Respectfully Submitted:

Katie D. Smith
Clerk to Council

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OCONEE COUNTY COUNCIL
RECUSAL FORM

Council Member Name: Julian Davis, III
(Please Print)

Council Member Signature: [Handwritten Signature]

Meeting Date: 10-15-2019

Item for Discussion/Vote: Action Item - Design Build Services for
New Office / ADA Restrooms for Chau Ram
& New Shelter / Storage for High Falls
County Park

Reason for Recusal I was not present for original meeting/discussion

I have a personal/familial interest in the issue.

Other: Cousin owns business
I have no financial
interest in business

[Handwritten Signature]
Katie Smith
Clerk to Council



OCONEE COUNTY COUNCIL
RECUSAL FORM

Council Member Name: Julian Davis, III
(Please Print)

Council Member Signature:

Meeting Date: 10.15.2019

Item for Discussion/Vote: Action Item - Request Council approval for funding allocation in the amount of \$20,000 for Our Daily Rest

Reason for Recusal I was not present for original meeting/discussion

I have a personal/familial interest in the issue.

Other: BOARD MEMBER

Katie Smith
Clerk to Council